

the proper local, State, or Federal official. The operator of the inspected plant shall make such arrangement as may be necessary with the proper officials for the disposition of the article.

COMPOSITION OF CERTIFIED PRODUCTS

§ 355.29 Composition of certified products for dogs, cats, and other carnivora.

(a) *Composition of canned or semi-moist certified maintenance food.* (1) Only ingredients which are normal to canned or semi-moist food for dogs, cats, and other carnivora, which are favorable to adequate nutrition, and which are classed by the Administrator as conforming with requirements contained in this part shall be used in the preparation of certified maintenance food.

(2) Not less than 30 percent of meat or animal food meat byproduct or both, or of horse meat or animal food horse meat byproduct or both, or of mule meat or animal food mule meat byproduct or both, or of poultry products, shall be used in the preparation of canned or semimoist certified maintenance food. Upon specific approval of the Administrator, combinations of the above specified ingredients may be used. The uncooked weight of the meat or animal food meat byproduct or both, or of the horse meat or animal food horse meat byproduct or both, or of the mule meat or animal food mule meat byproduct or both, or of the poultry products, or of the combinations thereof, shall be used in the calculation, and the percentage shall be obtained by relating this weight to the total weight of the certified maintenance food.

(3) Certified maintenance food shall contain not less than 10 percent of protein.

(4) Certified maintenance food shall contain a level of minerals and vitamins generally recognized to be essential to the nutritional value of the food.

(5) Vegetables and grains and their derivatives, used as ingredients of certified maintenance food, shall be of good quality, shall be free from discoloration, mold, smut, and insect infestation, and shall be otherwise fit for use as animal food.

(6) Inedible material such as tankage, dried blood, bone meal, and the like

shall not be used as ingredients of certified maintenance food.

(7) Semi-moist certified maintenance food shall have a soft granular consistency, shall be shelf stable, and shall be processed so that the moisture content thereof does not exceed 27 percent of the net weight of such food.

(b) *Composition of canned or fresh frozen certified supplemental animal foods.*

(1) Certified animal protein supplement shall comply with the following requirements:

(i) Certified animal protein supplement shall contain not less than 95 percent of meat or animal food meat byproduct or both, or of horse meat or animal food horse meat byproduct or both, or of mule meat or animal food mule meat byproduct or both, or of poultry products. Upon specific approval of the Administrator, combinations of the above specified ingredients may be used;

(ii) Certified animal protein supplement shall have added thereto a sufficient amount of fresh ground bone or other acceptable agent to satisfy the requirements of the regulations promulgated under the Meat Inspection Act (34 Stat. 1260), as amended (21 U.S.C. 71 et seq.), and the Horse Meat Act (41 Stat. 241; 21 U.S.C. 96), in order to insure decharacterization of the product for human food purposes;

(iii) Certified animal protein supplement may contain not more than 3 percent wheat flour or other processing aid acceptable to the Administrator, which shall be of good quality, shall be free from insect infestation, and shall be otherwise fit for use as animal food;

(iv) Certified animal protein supplement shall contain not less than 15 percent protein; and

(v) Certified animal protein supplement shall contain not less than 3 percent fat.

(2) Certified pet food supplement shall comply with the following requirements:

(i) Certified pet food supplement shall contain not less than 50 percent of meat or animal food meat byproduct or both, or of horse meat or animal food horse meat byproduct or both, or of mule meat or animal food mule meat byproduct or both, or of poultry products. Upon specific approval of the

§ 355.31

Administrator, combinations of the above specified ingredients may be used;

(ii) Certified pet food supplement shall have added thereto a sufficient amount of fresh ground bone or other acceptable agent to satisfy the requirements of the regulations promulgated under the Meat Inspection Act (34 Stat. 1260), as amended (21 U.S.C. 71 et seq.), and the Horse Meat Act (41 Stat. 241; 21 U.S.C. 96), in order to insure decharacterization of the product for human food purposes;

(iii) Certified pet food supplement may contain various cereals, flours, vegetables, flavorings, seasonings and other processing aids acceptable to the Administrator which shall be of good quality, shall be free from discoloration, mold, smut, and insect infestation, and shall be otherwise fit for use as animal food;

(iv) Certified pet food supplement shall contain not less than 11 percent protein;

(v) Certified pet food supplement shall contain not less than 3 percent fat; and

(vi) Certified pet food supplement may not contain more than 74 percent moisture.

(c) *Composition of canned certified variety pet food.* (1) Certified variety pet food shall contain not less than 25 percent of meat or animal food meat byproduct or both, or of horse meat or animal food horse meat byproduct or both, or of mule meat or animal food mule meat byproduct or both, or of poultry products. Upon specific approval of the Administrator, combinations of the above specified ingredients may be used.

(2) Certified variety pet food shall contain a variety of vegetables and may contain other ingredients which are favorable to adequate nutrition.

(3) Vegetables and grains and their derivatives used as ingredients of certified variety pet food shall be of good quality, shall be free from discoloration, mold, smut, and insect infestation, and shall be otherwise fit for use as animal food.

(4) Certified variety pet food shall contain not less than 8 percent protein.

(5) Certified variety pet food shall contain not less than 2 percent fat.

9 CFR Ch. III (1–1–03 Edition)

(6) Certified variety pet food may contain not more than 75 percent moisture.

(d) Certified products for dogs, cats, and other carnivora may contain whale meat, fish, and animal food poultry byproducts or combinations thereof as optional ingredients in lieu of some but not all of the ingredients named in paragraphs (a)(2), (b)(1)(i), and (c)(1) of this section, respectively, upon specific approval of the Administrator.

[26 FR 3984, May 9, 1961, as amended at 29 FR 9819, July 22, 1964; 29 FR 18419, Dec. 25, 1964. Redesignated at 30 FR 4195, Mar. 31, 1965, and amended at 30 FR 10284, Aug. 19, 1965; 32 FR 13115, Sept. 15, 1967; 33 FR 6707, May 2, 1968]

SUPERVISION

§ 355.31 Supervision by inspector.

No container which bears or is to bear a label as provided for under this part shall be filled in whole or in part except with certified products which have been inspected in compliance with this part, which are sound, healthful, wholesome, and otherwise fit for dogs, cats, and other carnivora, and which are strictly in accordance with the statements on the label. No such container shall be filled in whole or in part and no such label shall be affixed thereto except under the supervision of an inspector.

LABELING

§ 355.32 Labeling required.

Each container of inspected and certified product shall have affixed thereto a label bearing the following information, prominently displayed:

(a) The name of the product, class of product, ingredient statement, and the animal foods inspection legend in the manner provided by paragraphs (a) (1), (2), (3), (4), (5), and (6) of this section.

(1) The name of the canned or semimoist certified food shall include words such as “dog food,” “cat food,” “dog and cat food,” or “fox food,” accompanied with such references to optional ingredients as may be required by the Administrator under this part. Product names shall not be misleading in regard to class of canned or semimoist certified food for which label is intended.